

3

Docket No. UF-160CD2  
Serial No. 09/821,435Remarks

Claims 1, 4, 6-8 and 10 were pending in the subject application. By this Amendment, the applicant has amended claim 1 and has canceled claims 7 and 10. The undersigned avers that no new matter is introduced by this amendment. Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 1, 4, 6 and 8 are currently before the Examiner for consideration. Favorable consideration of the pending claims is respectfully requested.

The applicant wishes to express his appreciation for the Examiner's indication of allowable subject matter.

The amendments to the claims set forth herein have been made in an effort to lend greater clarity to the claimed subject matter, to correct a typographical error, and to expedite prosecution by focusing the claims on allowable subject matter. These amendments should not be taken to indicate the applicant's agreement with, or acquiescence to, the rejections of record. Favorable consideration of the claims now presented, in view of the remarks and amendments set forth herein, is earnestly solicited.

Claims 1 and 6 have been rejected 35 U.S.C. 102(b) as being anticipated by Kuruvilla *et al.*, Racke *et al.* or Johns *et al.* By this amendment, the applicant has amended claim 1 to specifically refer to the use of TGF- $\beta$  for the treatment of diabetes. The cited references do not disclose or suggest the claimed method of treatment. Accordingly, the applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b).

Claims 1, 6 and 10 have been rejected under 35 U.S.C. §102(b) as being anticipated by Bentz *et al.* (U.S. Patent No. 5,008,240). By this amendment, the applicant has amended claim 1 to specifically refer to the use of TGF- $\beta$  for the treatment of diabetes. The cited references do not disclose or suggest the claimed method of treatment. Accordingly, the applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b).

In view of the foregoing remarks and amendments to the claims, the applicant believes that the currently pending claims are in condition for allowance, and such action is respectfully requested.

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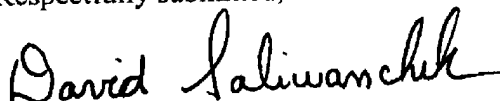
4

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Serial No. 09/821,435

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

The applicant invites the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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